

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALFONSO LEWIS,	:	
Petitioner,	:	
	:	CIVIL ACTION
v.	:	NO. 10-0079
	:	
DAVID VARANO et al.,	:	
Respondents.	:	

ORDER

AND NOW, this 11th day of April, 2011, upon consideration of Petitioner's Petition and Amended Petition for Writ of Habeas Corpus (*Doc. Nos. 1, 13*), Respondents' Responses (*Doc. Nos. 9, 14*), Petitioner's Reply (*Doc. No. 15*), and related documents, and after reviewing the Magistrate Judge's Report and Recommendation (*Doc. No. 17*)—to which no objections have been filed, it is hereby **ORDERED** as follows:

1. The Report and Recommendation (*Doc. No. 17*) is **APPROVED and ADOPTED**;
2. The Petition for Writ of Habeas Corpus (*Doc. No. 1*) and the Amended Petition (*Doc. No. 13*) are **DENIED and DISMISSED without an evidentiary hearing**;
3. There is no probable cause to issue a certificate of appealability; and
4. **THE WARDEN OF THE STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, PENNSYLVANIA, SHALL ENSURE THAT PETITIONER RECEIVES A COPY OF THIS ORDER.**

IT IS SO ORDERED.

/s/ Paul S. Diamond

PAUL S. DIAMOND, J.